

**DOUGLAS & LONDON, P.C.**

Attorneys At Law  
59 Maiden Lane, 6<sup>th</sup> Floor  
New York, N.Y. 10038  
(212) 566-7500  
FAX: (212) 566-7501

**www.DOUGLASANDLONDON.com**

Gary J. Douglas  
Michael A. London\*  
Stephanie O'Connor\*  
Randolph D. Janis

Virginia E. Anello<sup>^</sup>  
Rebecca G. Newman\*  
Kristin D. Padden<sup>°</sup>  
Robin J. Bond\*  
Lara J. Say<sup>^n</sup>  
Alicia P. Ellsayed  
John Signoriello<sup>°</sup>  
Michael D. Sharp<sup>f</sup>

\*Also admitted in NJ  
^Also admitted in LA & MA  
°Admitted in NJ only  
^nAlso admitted in NC  
fOf Counsel

January 8, 2016

**VIA ECF**

Honorable Charles R. Breyer  
United States District Court  
450 Golden Gate Avenue  
San Francisco, CA 94102

**Re: *In re Volkswagen “Clean Diesel” Marketing, Sales Practices and Products Liability Litigation, MDL 2672 - Application of Virginia E. Anello for Appointment to the PSC***

Dear Judge Breyer:

Pursuant to the Court’s Order dated December 22, 2015 [Dkt. 336], I respectfully submit this letter application to serve on the Plaintiffs’ Steering Committee (“PSC”) for Multi-District Litigation (“MDL”) No. 2672.

As demonstrated herein, my qualifications as well as those of my firm, support that I would be a highly suitable member of the PSC. I have experience, both from being a PSC member (as well as serving on PSC subcommittees), and from having served as the right hand to lead counsel in various complex MDLs. I am committed to providing my experience as well as my diversity to the MDL leadership team. I am further able and willing to provide the necessary resources to support this MDL. In short, I am ready for the challenge of moving this MDL forward.

As to my background, I am an associate with the law firm of Douglas & London, P.C., and have been with the firm for over nine years.<sup>1</sup> Since obtaining my law degree from Louisiana State University, I have devoted my entire career to always representing injury victims and consumers. My practice areas in the law have *always* focused on, and continue to focus on, complex litigation, class action work and mass tort litigation, with an emphasis on consumer fraud and products liability.

Regarding my professional experience as well as that of my firm, I respectfully and humbly submit that it is at the highest level in the area of complex litigation, including class actions and mass torts, and

---

<sup>1</sup> I am admitted and licensed to practice law in the States of New York, Louisiana and Massachusetts, as well as in the U.S. District Courts for the Eastern and Southern Districts of New York and the 5<sup>th</sup> Circuit Court of Appeals. I am also admitted to practice in the U.S. Court of Appeals for the Federal Circuit and the U.S. Court of Federal Claims, both located in Washington, D.C.

reinforces the fact that I am an optimal candidate for the PSC.<sup>2</sup> Outlined herein is a list of leadership positions and/or committee positions that I have held over the years in complex MDLs:

- *PSC Member, In re: Apple iPhone 3G and 3GS “MMS” Marketing and Sales Practices Litig.* (MDL-2116), Hon. Carl J. Barbier, U.S. District Court for the Eastern District of Louisiana, (504) 589-7525;
- *Law and Briefing Committee, In re: Yasmin and Yaz (Drospirenone) Marketing, Sales, Practices and Prods. Liab. Litig.* (MDL-2100), Hon. David R. Herndon, U.S. District Court for the Southern District of Illinois, (618) 482-9077;
- *Discovery Committee, Law and Briefing Committee, Class Action Committee, In re: Bayer Corp. Combination Aspirin Products Marketing and Sales Practices Litig.* (MDL-2023), Hon. Brian M. Cogan, U.S. District Court for the Eastern District of New York, (718) 613-2235;
- *Discovery Committee, In re: Heparin Prods. Liab. Litig.* (MDL-1953), Hon. James G. Carr, U.S. District Court for the Northern District of Ohio, (419) 213-5555; and
- *Discovery Committee, In re Imagitas Inc. Drivers' Privacy Protection Act Litig.* (MDL-1828), Hon. Timothy J. Corrigan, U.S. District Court for the Middle District of Florida, (904) 549-1300.

Notably, two of these MDLs – Yasmin/Yaz and Bayer Corp. Combination Aspirin – involved German defendants, and my firm and I, as a result, have significant experience with the various legal issues surrounding German defendants. Further, my firm served as co-lead counsel in the Pradaxa MDL, which also involved German defendants and similar German-related legal issues. This is important here because the primary defendant, Volkswagen AG, is German and I would be able to provide this experience and knowledge to this MDL.

In addition to the above, though I was not a PSC member, I was extremely involved in the consolidated World Trade Center Disaster Site Litigation before the Hon. Judge Alvin Hellerstein in the U.S. District Court for the Southern District of New York, in which I represented hundreds of individuals who were injured as a result of the September 11, 2001 bombings of the World Trade Center, and I litigated and oversaw the settlement of their actions.<sup>3</sup>

While my formal experience serving on a PSC may not be as extensive as that of other applicants, I do have PSC member experience, and I have served as the right hand to lead counsel in other complex MDLs, specifically firm partner, Michael A. London. In this regard, Mr. London has been appointed to, and has consistently held, leadership roles in some of the largest national mass tort and complex litigations in recent years.<sup>4</sup> In addition, Mr. London has been asked to serve and has been formally

<sup>2</sup> This statement is based upon the successes that we have achieved in our leadership positions in other MDLs as set forth in footnotes 4, 5 and 6.

<sup>3</sup> I also oversee our firm's vaccine-injury litigation department. In this endeavor, my team and I represent individuals in the National Vaccine Injury Compensation Program who have been catastrophically injured as a result of vaccines.

<sup>4</sup> *Vice-Chairman of PSC – In re: Zyprexa Prods. Liab. Litig.* (MDL-1596), Hon. Jack B. Weinstein, U.S. District Court for the Eastern District of New York (status: resolved under two years, \$690 million settlement of approximately 8,000 claims); *Liaison Counsel and Plaintiff Executive Committee Member – In re: Ortho Evra Prods. Liab. Litig.* (MDL-1742), Hon. David S. Katz, U.S. District Court for the Northern District of Ohio (status: resolved in under two years, individual confidential settlements of approximately 3,000 claims in federal and state courts); *Co-Lead Counsel of PSC – In re: Yasmin and Yaz (Drospirenone) Marketing Sales Practices and Prods. Liab. Litig.* (MDL-2100), Hon. David R. Herndon, U.S. District Court for the Southern District of Illinois (status: over 95% of over 18,000 claims resolved through individual and mass semi-confidential settlements of claims in federal and state courts, with the defendants agreeing to pay, ultimately, over \$2 billion,

appointed to sit on PSC's without elevated roles as lead or liaison counsel. Firm partner, Stephanie O'Connor, has also been appointed to Plaintiff Executive Committees and PSCs in major complex litigations.<sup>5</sup> While I recognize that an appointment in this litigation is of a personal nature, I will be able to draw upon the expertise of my partners to assist me in best serving the PSC.<sup>6</sup>

As to the additional criteria identified by the Court, I submit, first, that I am extremely interested in serving on the PSC and, specifically, representing vehicle owners and lessees. Second, I personally have the time to commit to serving on the PSC and am willing to commit my time to prosecuting these cases with other talented lawyers and law firms who will bring their own unique skill sets to this litigation. Third, I am eager and willing to work cooperatively with other plaintiffs' counsel as well as defense counsel in this case. To this end, I submit that both myself and my law firm have demonstrated a strong ability to work cooperatively with others, as evidenced by being asked to serve and appointed to leadership and PSC positions in jurisdictions across the country. Indeed, in this case, as noted by the attached exhibit list, three firms that are seeking leadership roles in this MDL support our application, thus further demonstrating our proven ability to work well with others. Lastly, I have the willingness to commit the necessary resources to advance this litigation in a timely manner. As outlined herein, our firm routinely engages in large scale, multi-district litigation against corporate defendants represented by highly skilled and well-heeled defense counsel, and we have never shied away from our responsibilities to provide both financial resources and people power to any litigation.

In conclusion, I submit that both my experience and that of my firm is at the highest level in the area of complex litigation. If so appointed to the PSC, I would look forward to serving the Court and to working with the many competent lawyers and law firms involved in this litigation.

Respectfully Submitted,  
**DOUGLAS & LONDON, P.C.**

/s/Virginia E. Anello  
VIRGINIA E. ANELLO

---

within 27 months); *Co-Lead Counsel and Liaison Counsel for PSC—In re: Bayer Corp. Combination Aspirin Products Marketing and Sales Practice Litigation* (MDL-2023), Hon. Brian M. Cogan, U.S. District Court for the Eastern District of New York (status: resolved within 37 months, approval for class settlement of \$15 million); *Co-Liaison Counsel for all Plaintiffs—In re: Levaquin Litigation*, centralized and consolidated litigation, Hon. Carol E. Higbee, Superior Court of New Jersey, Atlantic County (status: resolved within three years, individual confidential settlements of hundreds of claims in federal and state courts); *Co-Lead Counsel of PSC—In Re Pradaxa (Dabigatran Etexilate) Prods. Liab. Litig.* (MDL-2385), Hon. David R. Herndon, U.S. District Court for the Southern District of Illinois (status: resolved in under two years, \$650 million settlement of approximately 4,300 claims); *Co-Lead Counsel of PSC – In re: E.I. DuPont de Nemours and Company C-8 Personal Injury Litig.* (MDL-2433), Hon. Edmund A. Sargus, Jr., U.S. District Court for the Southern District of Ohio (status: active); and *Chairperson of the PSC and PEC Member – In re: Testosterone Replacement Therapy Prods. Liab. Litig.* (MDL-2545), Hon. Matthew F. Kennelly, U.S. District Court for the Northern District of Illinois (status: active).

<sup>5</sup>*Plaintiff Executive Committee Member – In re: Actos (Pioglitazone) Prods. Liab. Litig.* (MDL-2299), Hon. Rebecca Doherty, U.S. District Court for the Western District of Louisiana (Ms. O'Connor played a pivotal role in the first MDL trial where the trial team secured a \$9 billion plaintiff's verdict against the defendants); *PSC Member – In Re: Ethicon, Inc., Power Morcellator Prods. Liab. Litig.* (MDL-2652), Hon. Kathryn H. Vratil, U.S. District Court for the District of Kansas; *PSC Member – In Re: Zolofit (Sertraline Hydrochloride) Prods. Liab. Litig.* (MDL-2342), Hon. Cynthia M. Rufe, U.S. District Court for the Eastern District of Pennsylvania; and *PSC Member – New York State Consolidated Silicone Breast Implant Litig.*, Hon. Joan B. Lobis, Supreme Court of the State of New York, New York County.

<sup>6</sup>In addition, Douglas & London is a highly successful trial firm with pioneering verdicts and settlements against the tobacco, pharmaceutical and automobile industries, and its reputation in this regard is renowned among both plaintiffs and defense attorneys who do MDL work. One of its most recent successes took place in October 2015 when firm partner, Gary Douglas, served as co-lead trial counsel in the *first* C-8 case to go to trial against Dupont in MDL-2433 and secured a \$1.6 million verdict.